

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

POWERTRAIN, INC., A MISSISSIPPI)
CORPORATION)
Plaintiff,)
v.) CASE NO. 1:11-cv-00105-SA-JAD
JOYCE MA, INDIVIDUALLY, AND)
BEST MACHINERY & ELECTRICAL,)
INC.,)
Defendants.)

**DEFENDANT JOYCE MA'S
MOTION TO DISMISS AND TO TRANSFER PLAINTIFF'S COMPLAINT**

Pursuant to Rule 12(b)(2), (3), and (6), of the Federal Rules of Civil Procedure, Defendant Joyce Ma ("Ma") hereby moves the Court for an Order dismissing the complaint by Powertrain, Inc. ("Powertrain") for lack of personal jurisdiction, for improper venue, and for failing to allege a claim against Ma.

WHEREFORE, Defendant Ma respectfully requests that this Court enter an Order dismissing the Complaint against Ma, pursuant to Rule 12(b)(2) and (6), and/or transferring the case to Ma's resident district pursuant to Rule 12(b)(3). The Defendant Ma expressly reserves the right to assert all other applicable defenses, including but not limited to lack of subject matter jurisdiction, statute of limitations, and other defenses.

Respectfully Submitted,

JOYCE MA,
DEFENDANT

By /s/ Jeffery M. Navarro
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Attorney for Defendant
Joyce Ma

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Jeffery M. Navarro

Jeffery M. Navarro